

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RONALD WOLFE,

Plaintiff,

v.

Case No. 14-11397

COMMISSIONER OF SOCIAL
SECURITY,

HON. TERRENCE G. BERG
HON. ELIZABETH A. STAFFORD

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION (DKT. 23)

This matter is before the Court on Magistrate Judge Elizabeth A. Stafford's December 30, 2016 Report and Recommendation (Dkt. 23), recommending that Plaintiff's motion for attorney's fees pursuant to 42 U.S.C. § 406(b) (Dkt. 19) be granted in part, and that Plaintiff's counsel be awarded \$11,707.45 in attorney's fees.¹

The Court has reviewed the Magistrate Judge's Report and Recommendation, and finds that it is well reasoned and supported by the applicable law. The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of the report and recommendations. 28 U.S.C. § 636(b)(1). The district court will make a "*de novo* determination of those portions of the report . . . to which objection is made." *Id.* Where, as here, neither party

¹ Plaintiff's counsel had requested \$15,644.95 in fees, but Magistrate Judge Stafford recommended that that request be reduced by \$3,937.50, resulting in a fee award of \$11,707.45.

objects to the report, the district court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). The Court will, therefore, accept the Magistrate's Report and Recommendation of December 30, 2016 as this Court's findings of fact and conclusions of law.

Accordingly, it is hereby **ORDERED** that Magistrate Judge Stafford's Report and Recommendation of December 30, 2016 (Dkt. 23) is **ACCEPTED** and **ADOPTED**. It is **FURTHER ORDERED** that Plaintiff's motion for attorney's fees is (Dkt. 19) is **GRANTED IN PART**. Plaintiff's counsel is hereby awarded \$11,707.45 in 42 U.S.C. § 406(b) attorney's fees.

SO ORDERED.

Dated: February 3, 2017

s/Terrence G. Berg
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that this Order was electronically submitted on February 3, 2017, using the CM/ECF system, which will send notification to all parties.

s/A. Chubb
Case Manager